

IDAHO WORLD.

THURSDAY, MARCH 18, 1869.

L. P. Fisher, 30 & 31 New Merchants' Exchange is our authorized agent in San Francisco, for Eastern advertising. Mr. Fisher is represented by S. M. Pettengill & Co., of New York and Boston.

City and County.

ONE THROUGH PASSENGER.—By stage of Sunday evening, Mr. W. P. Fry, a former resident of this place, came passenger. He left Omaha Feb. 10th, and reached the snow blockade, overland on the railroad, Feb. 17th, along the road he and all the passengers labored for days shoveling snow, and trying to get through. They shoveling snow one stretch of twenty miles. He saw on the road, Mr. Edwin Powell, merchant of this place, on his way hither, but Mr. P. had gone to Salt Lake City, and it was by that trip delayed in reaching here. Mr. Fry also saw on the train by which he came from Omaha, the baggage of our partner, Mr. I. H. Bowman, and of Jas. W. Wood, the well known merchant, both of whom are now daily expected to arrive here—and we hope they will, very soon. Mr. Fry reports a rough time on the overland trip by reason of the snow blockade.

P. S.—After the above was put in type the Boise City stage arrived, and among the passengers was Mr. Powell, who looks in prime condition after his rough time in the snow blockade. He reports that Mr. and Mrs. J. W. Wood, I. H. Bowman and G. T. Keyes, will be here by stage on Friday evening. Bully good news. More overland mail came by stage last evening. Lieut. L. F. Hammond, U. S. Army, came passenger from Fort Boise.

GOING TO SAN FRANCISCO.—Mr. S. G. Rosenbaum, the enterprising dry goods merchant, of Rosenbaum & Child, has gone on a business trip to San Francisco, there to purchase a stock of the finest and most attractive goods for their line—dry, fancy, and furnishing goods; ladies' dress patterns for Spring and Summer wear; gentlemen's expensive clothing, seasonable and of latest styles; ladies' shoes, millinery and trimmings; and all kinds of fancy toilet and dress articles, for their stores in this city and Boise City. And it is the intention of the firm to make out the business in both cities on the coming week. Rosenbaum is a superior buyer, he thoroughly knows the market, knows what is wanted here, and he is determined to close out with bargains unparalleled to his customers.

U. O. F. CELEBRATION.—We are informed that the members of Excelsior Lodge, No. 4, of Centerville, and of the Pioneer Lodge No. 1, of Idaho City, Independent Order of Odd Fellows, intend to unite in appropriately celebrating on April 26th, ensuing, the fiftieth anniversary of the introduction of their Order in the United States. The celebration will take place in this city, and of exercises and entertainments, as we learn, will be during the day a procession, to be followed by a sermon by Hon. F. E. Ensign, of Silver City, and in evening a grand ball will be held. Delegations are expected from Day and adjacent places, and a splendorous and confidently predicted by the members in this town. Further notice of the celebration will appear in our next week's issue.

IN FUTURE'S DAY.—Yesterday dawned a disagreeable day, with light rain, heavy mist and general gloominess prevailed. The Fenian flag was hoisted at the headquarters, and Luney had the American flag hoisted during the day. We hope, however, despite the gloomy weather, that the St. Patrick's celebration held at Pioneer passed off splendidly.

DEATH OF COAT.—On Tuesday afternoon, after the death of Walters, for murder, had returned to Centerville, Chief Justice Bowers adjourned Court to resume on Wednesday, March 24th.

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THE TRIAL OF SIMEON WALTERS.

Charged with the Murder of J. L. Bacon.

The chief event of the week in this city has been the trial of Simeon Walters, on an indictment returned by the Grand Jury of Ada county, in November, 1868, in which he was charged with the murder of Joseph L. Bacon, on the 21st day of October, by shooting him through the head with a pistol at a place near Dry (or Five Mile) creek, about six miles south of Boise City, on the stage road between that city and Silver City, Owyhee county. The accused was arrested on suspicion of the murder, at the instance of J. C. Bernard, on the morning of Oct. 28th, by Deputy Sheriff Forsyth, of Ada county, at the house of Bernard, on the stage road, twenty-eight miles from Boise City, and within one mile of Fruit's ferry, on Snake river. He was taken the same day to Boise City, examined before A. W. Flournoy, a magistrate, and committed to answer. The Grand Jury for the Fall Term of the Ada county District Court returned a true bill for murder in the first degree, and upon that indictment Walters was arraigned and pleaded not guilty. On motion of his counsel, Hough and Prickett, assigned him by the Court, Chief Justice Bowers, presiding, a change of venue to Boise county was granted, and by this means the trial came to be heard in this county, at the present Term of the District Court, before Chief Justice Bowers. When the change of venue was granted Walters was conveyed by the Ada county officers to the prison here, for safe keeping.

THE TRIAL.

The trial had been set for Thursday morning, March 11th. At 10 o'clock that morning the Sheriff brought Simeon Walters into court. P. E. Edmondson, Esq., appeared as counsel for the accused, assisted by A. O. Bowen. Major R. E. Foote, Prosecuting Attorney, was assisted by Col. S. A. Morrill.

A motion for a continuance, on behalf of the accused, by Mr. Edmondson, on the ground of the absence of important witnesses for the defence, was overruled by Judge Bowers, and the trial proceeded with.

The first venire of thirty six persons drawn as jurors was exhausted on Thursday, and eleven jurors sworn in. Another venire of twelve was ordered for the next morning, and the twelfth juror was obtained. The prosecution had exhausted their legal allowance of three, and the defence their legal allowance of five peremptory challenges.

THE TRIAL JURY.

The following jurors were finally empaneled as the trial jury, viz: Lycurgus Jackson, foreman, W. D. Yanting, C. Clark, Edward Lowe, Chris. Hafendörfer, Wm. Fitzgerald, C. H. Langworthy, D. McClintock, Wm. Meydenbauer, H. A. Mattox, F. J. Clyde, Thos. Foye.

THEORY AND TESTIMONY OF PROSECUTION.

After the reading of the indictment by Mr. Jas. H. Wickersham, Clerk, the following witnesses on behalf of the prosecution were called to the bar and sworn, viz: J. C. Bernard, Jos. Babington, Thos. Kifer, J. H. Jackson, L. Heyd, B. McCleary, Dan. Roth, G. H. Cannon, J. D. Agnew, Chas. Barnes, F. Money, L. R. Walter, P. Meyers, and Dr. Bishop, as medical expert in the case.

Upon motion of the counsel for defence the witnesses were directed to remain outside of the court room, but within call of the Sheriff, except as each one was called to the stand—save in the case of Dr. Bishop, who was permitted to remain in court.

As we have not space to present the very voluminous testimony in full, which was given in during Friday and Saturday, for the prosecution, and on Monday morning for the defence, we shall present instead a synopsis which will include the theory of the prosecution, and that of the defence, and also the strong points in the testimony which were relied upon by each to establish and sustain their respective theories.

The theory of the prosecution was that on October 19th Simeon Walters hired a buggy and pair of dark brown horses at the livery stable of A. C. Springer, in Silver City, Owyhee county, with the intention of driving thence to the ranch of Joseph L. Bacon, on which Walters and Bacon had worked in shares since early in the summer of last year, and for the purchase of which Walters had been negotiating. The building on this ranch had been leased and was occupied by B. McCleary and wife. This ranch was on the stage road between Silver and Boise cities, on Reynolds' creek, about twenty miles from Silver City. Walters reached Babington's, eight miles from Silver, and stopped there all night. On the 20th he started away, reached Bacon's ranch, was told by McCleary that Bacon was at Ritchey's, a few miles further on. He drove there, saw Bacon, who was engaged in driving some cows for J. C. Bernard, in company with Bernard, whose wife was also at Ritchey's. Walters insisted that Bacon should accompany him to Boise City, and there complete the trade for the ranch. To this Bernard strenuously objected, as he wanted Bacon to help him drive the cows to his (Bernard's) place on the other side of Snake river. It was finally arranged that Walters should drive on to Bernard's and stop there all night without charge, and he took Mrs. Bacon in the buggy with him from Ritchey's to her own home, while Bernard and Bacon followed, driving the cows. On the way Walters fired a shot from his revolver at a crow.

After Bacon and Bernard had reached the place of the latter, and all had had supper, Walters resumed his request that Bacon should proceed with him to Boise City that night. To this Bacon objected, and Bernard advised him not to go. The two had some harsh words, but finally cooled down, and Bacon went to his room, and Bernard, near by, to sleep all night in the hay, as the only spare bed in Bernard's house had been assigned to Walters. Before retiring Walters said to Bernard that he had done a "damned smart trick;" that he had left his six-shooter in Silver City. On the morning of Oct. 21st, about 7 o'clock, Walters and Bacon started in the buggy for Boise City, and Bacon told Bernard that, in case he should make the trade all right with Walters, he would not be likely to return to that section. He had said the night before to Walters that "not a scratch of a pen nor a paper" would he give till he saw what sort of money he was going to be paid—whether bogus or good—by Walters. Before their departure Bernard gave some money to Walters to purchase for him and bring back on his return trip, ten pounds of coffee, a box of candles, some nails and some tea. Walters wore over his black suit a linen duster and a pair of twilled overalls. That morning was the last time that Bernard ever saw Bacon alive.

On that very morning, on the road between Bernard's and Boise City, J. H. Jackson, in going to Snake river, met Walters and Bacon in the buggy, and particularly observed that Bacon, whom he knew, was sitting on the right hand side, and that Walters, who was driving, was sitting on the left hand side of the buggy. The unusual sight of a person sitting on the left hand side, driving, especially attracted his attention. In reply to an inquiry of Jackson's, Bacon told him he was going to Boise City. That was between 11 and 12 o'clock. An hour or more afterwards, Thos. Kifer, who was driving an ox-team towards Boise City, over the same road, and when about a mile north of Dry or Five Mile creek, was

passed by an open buggy and pair of black or dark horses driven by a man whom he recognized as Walters, and Walters was alone in the buggy. A half hour afterwards, Walters drove up from towards Boise City, stopped and asked Kifer if he had seen or found a six-shooter in the road, and remarked that he had taken his out to shoot at something a mile or two back, and had since missed it. Kifer replied he had not seen or found a pistol, but another teamster, a hundred yards behind, might have done so. At this Walters said the road was so dusty that he reckoned he couldn't find the weapon, anyhow, turned his buggy again in the direction of Boise City, and drove off.

Between 1 and 2 o'clock, P. M., of that day, Walters drove into the livery stable of J. D. Agnew, in Boise City, and Mr. Agnew recognized the horses and buggy as the property of Springer, in Silver City. Walters told him to take good care of the horses, as he would likely drive them that evening. Soon after Agnew saw Walters darning the buggy with the stable dust brush, and said to him not to do so, as he (Agnew) would wash and clean the buggy. Walters persisted in brushing it, and said he did not want the buggy washed—to wash it would injure the paint. Agnew helped Walters to dust his clothes—a linen duster and overalls. After going from the stable Walters returned, got a pistol, belt and scabbard from the buggy, remarking at the time that they belonged to a man who rode in with him. Because of a singular looking cap-box on the belt, Agnew took particular notice of it, and recognized the belt and scabbard and box shown to him in court to be the same which Walters had at the stable. This belt, box and scabbard were severely identified by Heyd, by Babington, and by Bernard, who also identified them as the property of Bacon—the same which he wore on his person the morning he started to ride to Boise City with Walters.

On the afternoon of that day—Oct. 21st—Walters sold to Lewis Heyd, a gunsmith in Boise City, a six-shooter, belt and scabbard, with cap-box also on the belt, for \$12 in legal tender notes, and he had another six-shooter reloaded in two chambers, which were empty, and Heyd reloaded them. He went to Roth's store, purchased a box of candles, ten pounds of coffee, some nails and tea, for Bernard, had the bill of Reus made out to Bernard, and paid for all but the candles, which he had charged. He asked Roth to let him leave a trunk in his store on storage for a while, and that evening after supper he went, got the buggy and horses from Agnew's, and soon after came and deposited a common-looking, much worn wooden trunk, at Roth's, with instructions to have it well cared for, as there were papers, &c., in it, of importance. This trunk was identified in court by McCleary to be the trunk which Bacon owned, and in it were some clothes, a pair of boots, some papers, account books, and other effects which belonged to Bacon, and a photograph of Bacon's wife.

It is the theory that Walters knew that Bacon had this trunk taken by an acquaintance named Sy. Polk, who lived on the south bank of Boise river (who has since gone to White Pine), that in the trunk were the deeds, &c., affecting the title to Bacon's ranch; and that he drove that evening to Polk's, got the trunk, took from it the deed he afterwards exhibited to Mr. McCleary to show his ownership to the ranch, and then put the trunk in Roth's keeping.

On the morning of the 22d, Walters drove up to Bernard's about 7 o'clock. In reply to the question by Bernard, "What makes your eyes look so red?" Walters said he had been driving all night, that the road was full of chuck holes, there was no moon, and he had let the horses travel their own path. The horses looked jaded. He said he had left Bacon with "some muttonhead" in Boise City; that he had paid Bacon \$1,200 in greenbacks for the ranch; that Bacon was satisfied with the money; and that he had the deeds—except the most important one, that of Sarah's (Bacon's young daughter), which Bacon had promised him. He delivered to Bernard from the buggy two boxes which he said contained the articles he had purchased for him, and handed him the receipted bill of all the articles. Bernard observed that Walters had not on his person the linen duster and overalls which he wore the day before. Walters asked him for a horse to ride to Record's—about fourteen miles on the road toward Boise City—and on being told by Bernard that he had no horses, he laid down, slept an hour, awoke, saddled and mounted one of the horses of the team he drove, and rode off towards Record's.

Charles Barnes saw him at Record's at noon, Oct. 22d, and saw him ride away towards Boise City, just after dinner. He again saw Walters, about 4 o'clock, P. M., of that day, as he (Barnes) was driving stage into Boise City from Record's, about three or four miles south of Dry creek.

Walters returned to Bernard's the night of October 22d, and stopped there all night. On the morning of the 23d he drove to Fruit's ferry—one mile—went down Snake river to the hay ranch of Meyer & Price, a few miles below, got a horse which belonged to Bacon, and returned to the ferry with that horse behind his buggy. He crossed Snake river, and was next seen at Ritchey's, fifteen miles south of the ferry, where he stopped the night of the 23d.

On the 25th, Walters came on foot to McCleary's, having taken the buggy and horses back to Silver City, and demanded of McCleary possession of the ranch, exhibiting the deeds he is supposed to have taken from Bacon's person or trunk as evidence of his ownership. McCleary refused to deliver the place without an order from Bacon, and Walters said he "could not get that, now." October 26th he went again to the hay ranch on Snake river of Meyer & Price, and asked for a ride and shift to go and shoot a deer he saw on an island a little above. His request was refused, and he soon left.

October 27th he again went to Bernard's. Bernard had meantime discovered that while there was the item of pay for ten pounds of coffee in Roth's bill, got by Walters, that no coffee had been brought by him. On asking Walters about the error, he replied he had not got the coffee, but would send a note for it. That morning, Bernard, for certain reasons, suspected that Walters had killed Bacon. Accordingly he left Walters at his house, and went towards Boise City; he overtook Joseph Babington, who had gone on with his team some time before Bernard left. In the conversation that occurred between them Bernard stated his suspicions and together they agreed to search for traces of Bacon and the crime. That day the two reached Record's, but discovered nothing. On the next morning they resumed the search. About noon Babington discovered a hat stuffed in a badger hole, a short distance from the road, and shouted to Bernard, who was a hundred yards off. Before he reached Babington, Bernard said if it was Bacon's hat the rim leather inside would look as if it had been burned. On examination Bernard identified the hat as the one Bacon had worn the morning he left his (Bernard's) house with Walters. Marks of blood were found on the under part of the rim, and another mark, as if a bullet had cut away the felt was seen near the blood marks across the rim. They also found where light buggy wheels had suddenly turned from the road a few feet, and gradually turned again into the road towards the creek. On a little

sort of island in the creek (then dry) they tracked buggy wheels, the footsteps of a man, and where a heavy body had evidently been laid. Near this, they found thick clots of dried blood. They gathered up these clots, and then found buggy tracks leading from the island towards the road to Boise City. On reaching Boise City, Bernard delivered these evidences to the law officers, swore out a warrant for Walters, and Deputy Sheriff Forsyth went with him to his own house on the morning of the 28th, arrested Walters, and took him into Boise City.

And now, we will briefly narrate the chain of remarkable circumstantial testimony which went to prove the guilt of the accused.

Oct. 26th Jackson was driving a cow along the road already spoken of, and right at Dry creek the cow broke from the road. In chasing her, Jackson discovered the coffee which Walters had evidently spilled from the buggy on the night of the 21st, when he took the corpse of Bacon from the little island, on which, as the tracks and attendant circumstances indicated, he had deposited the body after he had shot Bacon dead about noon of that day.

A searching party consisting of Austin Savage, Frank Corbass, Bernard, Riley and Cannon, on Oct. 30th and 31st, traced buggy tracks on the island, and near by Savage found a pair of boots identified as the boots Bacon wore on the day he was last seen alive; thence they traced the buggy to the road leading to the abandoned lower ferry on Snake river; found where the buggy and horses had been stopped near the bank of the river, and footsteps leading thence to the river, where it is inferred Walters threw the body into the stream. He had clearly made this ride in the dark night of Oct. 21st and before day of the 22d, and it was this long and terrible task which had occupied him and his team from the evening of the 21st, when he left Boise City, to the morning of the 22d, when he returned to Bernard's.

[We are obliged to rest here for this issue, and will give the remainder of the case in our next, when we shall also be able to present the proceedings yet to come—motion for new trial, sentence, &c. But we will state that the case was given to the jury at 12 o'clock, midnight, of Monday, and they returned into court with their verdict of "guilty, as charged in the indictment," at 4 o'clock on Tuesday afternoon. The prisoner was ordered to appear for sentence on Wednesday morning, at 10 o'clock, March 24th, and was then remanded to prison. He bore himself throughout the trial with amazing composure, seeming unconcern, and great self-possession. He is not quite 22 years of age, tall, finely formed, of rather commanding presence, and has an intelligent look and easy bearing.]

IDAHO CITY WHOLESALE PRICES.

REPORTED WEEKLY BY ECKHART & SAUNDERS.

IDAHO CITY, March 17, 1869.

Price Basis—Gold Dust at \$16 per oz.		
Flour, Crushed, 35	\$8 00	
do Powdered, 40	\$8 40	
do San Francisco Refined, 42	\$8 40	
do Island No 1, 43	\$8 40	
do " " 2, 43	\$8 40	
COFFEE, Costa Rica, 46	\$9 36	
do Rio, 46	\$9 36	
do Venard's ground, 46	\$9 36	
do M. & F. do, 46	\$9 36	
TEA, Japan, 46	\$9 36	
do Basket, 46	\$9 36	
do Black China, 46	\$9 36	
CANDLES, Grants, 46	\$9 36	
Outside brands 46	\$9 36	
do Paraffine 46	\$9 36	
COAL OIL, 46	\$9 36	
SOAP, Fair, 46	\$9 36	
do Colgate's C. O. 46	\$9 36	
do L. & H. 46	\$9 36	
BUTTER, choice Isthus, 46	\$9 36	
CHIESE, California, 46	\$9 36	
HAMS, 46	\$9 36	
LARD, 46	\$9 36	
SALMON, in half bbls, 46	\$9 36	
DRIED APPLES, 46	\$9 36	
do PEACHES, 46	\$9 36	
do CURRANTS, 46	\$9 36	
do PEARS, 46	\$9 36	
do PRUNES, 46	\$9 36	
BRANS, Bay and White, 46	\$9 36	
SYRUP, 5 gallons, 46	\$9 36	
do in 1/2 bbls, 46	\$9 36	
SALT, coarse, 46	\$9 36	
do, in 3 and 5 lb. sacks, 46	\$9 36	
YEAST POWDERS, P. & M., 46	\$9 36	
CASE GOODS, 2 dozen, 46	\$9 36	
PICKLES, 5 gal. casks, mixed and plain, 46	\$9 36	
do 2 dozen, 46	\$9 36	
do 2 dozen, 46	\$9 36	
do English Picallilli 46	\$9 36	
GRAM TARI, 46	\$9 36	
RICE, China N. 1, 46	\$9 36	
VERMICELLI and MACCARONI, 46	\$9 36	
SHOES, 46	\$9 36	
SUBS. FORTS, 46	\$9 36	
GUM BOOTS, Hayward's, 46	\$9 36	
do do National Rubber Co., 46	\$9 36	
NALES, 46	\$9 36	
AXE HAVES, 46	\$9 36	
PICK do do, 46	\$9 36	
BLASTING POWDER, 46	\$9 36	
IRON, 46	\$9 36	
do, 46	\$9 36	
TOBACCO, light pressed, 46	\$9 36	
do Hard pressed, 46	\$9 36	
do Fruit brand, 46	\$9 36	
BRANDY, 46	\$9 36	
WHISKY, 46	\$9 36	
GIN, fine Holland, 46	\$9 36	
do Old Tom, 46	\$9 36	
PORT and SHERRY WINE, 46	\$9 36	
CHAMPAGNE, 46	\$9 36	

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Standard and Miscellaneous Works, a

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Darics, Portfolios, Writing Desks and Cases, Crib